

**AMNESTY  
INTERNATIONAL**



Chief Medaria Arradondo  
Chief of Police  
350 South 5th Street  
Room 130  
Minneapolis, MN 55415-1389

27 May 2020

Dear Chief Arradondo

**RE: POLICING OF PROTESTS**

Amnesty International is writing to convey its deep concern regarding the policing of protests that took place in Minneapolis, MN on 26 May 2020.

In response to the death of George Floyd on 25 May following an encounter with four Minneapolis Police Department (MPD) officers, local residents held demonstrations in the City of Minneapolis, Minnesota, beginning at the street corner where George Floyd was killed. While reports indicate that the protests in Minneapolis began peacefully, a small group of protesters committed some acts of vandalism and throwing of rocks and other projectiles once the protesters reached MPD's 3<sup>rd</sup> Precinct and were confronted by a unit of police in riot gear. According to media accounts of the protests, law enforcement deployed the use of rubber bullets or what one MPD official described as "foam marking rounds", flash-bang devices and tear gas against the protesters in order to disperse the crowd. As of the morning of 27 May, no arrests of protesters were announced. A small number of peaceful protesters gathered at the site of George Floyd's death on the afternoon of 27 May and participated in non-violent direct action without incident while continued protests during the late afternoon and early evening resulted in the use of flash-bang devices and tear gas, at least according to one media article. It is likely that large, mass protests will occur again in the coming days and weeks as the investigation into George Floyd's death unfolds.

We would remind you that police authorities are required to act in accordance with international human rights standards and the U.S. Constitution in the policing of protests

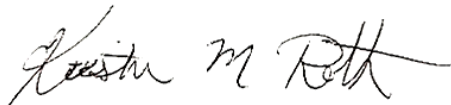
related to the death of George Floyd and others. Specifically, it is the role of government and law enforcement to facilitate peaceful public assemblies. Therefore, law enforcement must ensure that any decision to disperse an assembly is taken only as a last resort and carefully in line with the principles of necessity and proportionality, i.e., only when there are no other means available to protect a legitimate aim and when the level of threat of violence outweighs the right of people to assemble. Even in situations in which a small minority damages property or acts violently during a largely peaceful assembly, police should ensure that those who are protesting peacefully are able to continue to do so, and not use the dangerous acts of a few as a pretext to restrict or impede the exercise of rights of a majority. Law enforcement must also ensure that the type of equipment used for the purpose of dispersing an assembly is used only when necessary, proportional, lawful and accountable. Chemical irritants, such as tear gas, should not be used where people are confined in an area and not in a way that it can cause lasting harm to the health of demonstrators or bystanders (e.g., at too close range, or directly aimed at the bodies of demonstrators). Impact rounds, whether they be rubber bullets or “foam marking rounds”, should only be used where there is an immediate risk of serious injury or death to any person and only after other methods have been tried and failed or would be unlikely to succeed if they were tried. They should only be fired at the lower extremities and a warning should be issued before use, when possible. Irritants and impact rounds should not be launched at or near vulnerable people, such as the elderly, pregnant women and children.

The use of heavy-duty riot gear and military-grade weapons and equipment to police largely peaceful demonstrations intimidates protesters who are practicing their right to peaceful assembly and can actually lead to an escalation in violence. Equipping officers in a manner more appropriate for a battlefield may put them in the mindset that confrontation and conflict is inevitable rather than possible, escalating tensions between protesters and police. Any police presence at demonstrations needs to be proportionate to the situation. Police deployed in larger numbers than appear necessary or deployed wearing protective clothing or riot gear can be confrontational and intimidating. As seen in many countries, inappropriate or excessive police interventions can actually lead to violence and disorder rather than reducing tensions.

We would further remind you that arrest and detention should be carried out only in accordance with procedures established by law and should not be used as a means to prevent peaceful participation in a public assembly nor as a means of intimidation or punishment for participation. In light of the health risks associated with COVID-19, law enforcement should avoid custodial detention for low level offenses related to protest-related activities wherever possible unless absolutely necessary. Detention, even for a short period of time, in and of itself may pose a health risk to individuals in jails and prisons due to the inability to adequately social distance oneself or take other preventive, hygienic measures. If individuals are arrested, officers should not use restraints in an excessive manner or for prolonged periods of time during processing and anyone arrested should be provided with food and water, access to restrooms, means of sanitation and prevention like soap and water, medical attention if needed, and prompt access to counsel. Lastly, officials must investigate, effectively, impartially and promptly, all allegations of human rights violations by police officials during public assemblies, including unlawful use of force, and bring all those found responsible, including commanding officers, to account through criminal or disciplinary proceedings as appropriate, and provide full redress to victims.

We have attached a summary of best practices on the policing of demonstrations under international standards. If you have questions or wish to discuss these matters further, please contact Kristina Roth, [kroth@aiusa.org](mailto:kroth@aiusa.org) and 202.945.2021. I look forward to hearing from you regarding the concerns raised.

Yours Sincerely,

A handwritten signature in black ink that reads "Kristina M. Roth". The signature is fluid and cursive, with the first name "Kristina" being the most prominent.

Kristina Roth

Senior Program Officer, Criminal Justice  
Amnesty International USA